

THE UNITED STATES DISTRICT COURT  
THE EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

BOBBY SMITH

Plaintiff,

vs.

Case No. 06-13301

HONORABLE DENISE PAGE HOOD  
HONORABLE STEVEN D. PEPE

ALLAN BOSSEL,

Defendant.

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**ORDER DENYING MOTION FOR WAIVER OF FILING FEES (DKT. #11)**

On August 27, 2007, Plaintiff filed his Motion for Waiver of Filing Fees (Dkt. #11). All pretrial matters were referred to the undersigned on June 7, 2007. For the reasons indicated below, IT IS **ORDERED** THAT Plaintiff's Motion for Waiver of Filing Fees is **DENIED**.

The Court reviewed Plaintiff's Application to Proceed Without Prepayment Of Fees requesting a return of the \$350.00 filing fee secured by Plaintiff to commence the instant case. Plaintiff provided no accompanying financial affidavit and certified account statement with his application to proceed without prepayment of fees. Plaintiff, a prisoner, must pay the full filing fee for this civil action pursuant to 28 U.S.C. § 1915(b)(1). The Court must assess and, if funds exist, collect an initial filing fee. *Id.* In light of the fact that Plaintiff paid the initial filing fee in whole upon commencement of the case, Plaintiff's application to proceed *in forma pauperis* is **DENIED**.

**SO ORDERED.**

Date: August 31, 2007  
Ann Arbor, Michigan

s/Steven D. Pepe  
United States Magistrate Judge

CERTIFICATE OF SERVICE

I hereby certify that on August 31, 2007, I electronically filed the foregoing paper with the Clerk of the Court using the ECF system which will send notification of such filing to the following: not applicable, and I hereby certify that I have mailed by United States Postal Service the paper to the following non-ECF participants: Bobby Smith, #189410, Hiawatha Correctional Facility, 4533 W. Industrial Park Dr., Kincheloe, MI 49786

s/ James P. Peltier  
James P. Peltier  
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